

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERIC GEROLD,

Plaintiff,

v.

YAKIMA MEMORIAL HOSPITAL,

Defendant.

FILED

MAR 19 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

No.07-05493 CW


ORDER ADOPTING
MAGISTRATE JUDGE'S
RECOMMENDATION AND
DISMISSING ACTION

On February 7, 2008, Magistrate Judge James Larson filed a Referral for Reassignment and Recommendation and the above-captioned action was reassigned to this District Judge on December 12, 2008.

The Court has reviewed Magistrate Judge James Larson's Recommendation. No objection to the report was filed. The Court finds the Recommendation correct, well-reasoned and thorough, and adopts it in every respect. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application to Proceed In Forma Pauperis is denied and the above-captioned action is dismissed without prejudice pursuant to Rule 41(a)(2), Federal Rules of Civil Procedure.

Dated: MAR 19 2008


CLAUDIA WILKEN
United States District Judge

cc: JL

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

GEROLD et al,
Plaintiff,

Case Number: CV07-05493 CW

CERTIFICATE OF SERVICE

v.

YAKIMA MEMORIAL HOSPITAL et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 19, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Eric Gerold
143 Greenmeadow Circle
Bay Point, CA 94565

Dated: March 19, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk